

ORIGINAL

BEFORE THE

Federal Communications Commission

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WASHINGTON, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)

Amendment of Section 73.202(b),)
Table of Allotments,)
FM Broadcast Stations.)

(Olathe, Colorado))

MM Docket No. 99-28
RM-9438

Directed to: Chief, Allocations Branch

**REPLY COMMENTS ON COUNTERPROPOSAL AND ALTERNATE
PROPOSAL**

These Reply Comments are filed in opposition to the Counterproposal filed by Coloradio, Inc. ("CRI") and The Meadowlark Group, Inc. ("MGI") in response to MM Docket No. 99-28, RM-9438. These Reply Comments are filed on behalf of Mountain West Broadcasting ("MWB"), the petitioner in this matter.

1. In its Counterproposal, MGI/CRI seeks to change the community of license of the yet un-built KAVD(FM) (CP) Limon, Colorado to Parker, Colorado. Delete Channel 276C1 at Limon and add Channel 276C to Parker, Colorado. In order to accomplish this change and upgrade, MGI/CRI proposes an ambitious plan to change the channels of two licensed operating stations, change the channels of two allotments with pending applications, and proposes to change the new proposed allotment at Olathe, Colorado from Channel 270C2 to Channel 248C2.

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2. MWB is opposed to this Counterproposal, as it feels that Channel 248C2 would better be allotted to Clifton, Colorado as its first local aural service. This alternate proposal would not require the changes in channels for the licensed stations KZKS(FM) Rifle, Colorado and KZYR(FM) Avon, Colorado. It would also not require the changes in allotments at Craig, Colorado and Imperial, Nebraska as proposed by MGI/CRI.

3. MWB proposes to allot channel 248C2 to Clifton, Colorado as the communities first local commercial FM allotment. Clifton is located in Mesa County. Clifton has a population of 12,671 persons in accordance with the 1990 U.S. census. Clifton is a census designated place. It has its own Post Office, organized town government, civic organizations, churches, and many retail businesses.

4. MWB has conducted a channel spacing study which shows that Channel 248C2 can be allotted to Clifton, Colorado and meet all of the provisions of 73.207. Figure 1 of these Reply Comments, show a channel spacing study at a site located 21.7 kilometers southwest of the community of Clifton, Colorado. A site restriction of 21.7 kilometers southwest will be required to allot Channel 248C2 to Clifton, Colorado. The coordinates of the allotment point for the channel search are: N. 38 - 55" - 24", W. 108 - 18" - 56".

5. Clifton, Colorado, having a population of 12,671 persons, verses Parker, Colorado having a population of 5,450 persons, is more in need of a local communications outlet.

6. MWB continues to support the allotment of Channel 270C2 at Olathe, Colorado as its first local aural service.

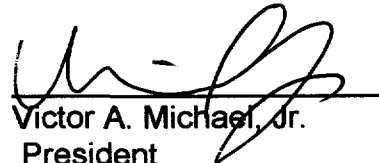
7. The MWB proposal will not cause the change to any existing allotment or existing stations. Its alternate proposal is as follows:

	<u>Present</u>	<u>Proposed</u>
Olathe, Colorado	-----	270C2
Clifton, Colorado	-----	248C2

8. MWB certifies that it will file an application for construction permit for the new allotments at Olathe, Colorado and Clifton, Colorado, should the Commission allot Channel 270C2 to Olathe, Colorado and Channel 248C2 to Clifton, Colorado. If awarded a Construction Permit for either of these allotments, MWB certifies that it would promptly construct the stations.

9. WHEREFORE, MWB hereby respectfully requests that the Commission reject the Counterproposal filed by MGI/CRI, grant the petitioners original proposal of the allotment of Channel 270C2 to Olathe, Colorado and institute a Proposed Rule Making to allot Channel 248C2 to Clifton, Colorado as its first local commercial FM service.

Respectfully submitted,



Victor A. Michael, Jr.

President

Mountain West Broadcasting
6807 Foxglove Drive
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(307)778-9318

DATE: April 9, 1999

CERTIFICATION

I certify that I have prepared or directly supervised the preparation of this entire Reply Comments and Opposition, and that the facts contained within are true to the best of my knowledge, information and belief, accurate and true.

Dated: April 9, 1999

Respectfully submitted,



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MAPFM search of channel 248C2 (97.5 MHz), at N. 38 55 24, W. 108 18 56.

Searching Channel 248C2 (97.5 MHz):

CALL	CITY	ST	CHN	CL	S	DIST	SEPN	BRNG	CLEARANCE
K245AB	Montrose	CO	245	D	L	59.3	0.0	140.5°	59.3
ALC	Moab	UT	246	C1	U	95.2	79.0	242.5°	16.2
KCYN	Moab	UT	246	C1	A	96.7	79.0	242.9°	17.7
KCYN	Moab	UT	246	C1	C	95.2	79.0	242.5°	16.2
FA USE	Dinosaur	CO	247	C1	A	158.3	158.0	337.9°	0.3
FA USE	Poncha Springs	CO	248	A	A	199.9	163.0	103.2°	36.9
K248AC	Whitewater	CO	248	D	L	17.1	0.0	307.2°	17.1
ALC	Richfield	UT	248	C	U	327.7	249.0	267.0°	78.7
ALC	Aspen	CO	249	C3	V	132.6	117.0	75.3°	15.6
KSPNFM	Aspen	CO	249	A	L	132.6	105.0	75.3°	27.6
ALC	Cortez	CO	250	C	U	175.6	105.0	175.3°	70.6
KISZFM	Cortez	CO	250	C	L	173.8	105.0	175.2°	68.8
ALC	Meeker	CO	251	C	U	128.6	105.0	15.5°	23.6
K251AF	Montrose	CO	251	D	L	59.3	0.0	140.5°	59.3
KAYW	Meeker	CO	251	C	C	118.8	105.0	11.5°	13.8

FIGURE 1
CHANNEL SPACING STUDY
CLIFTON, COLORADO
MOUNTAIN WEST BROADCASTING

CERTIFICATE OF SERVICE

I, Millie Adams, in the law offices of Gammon & Grange, P.C., hereby certify that I have sent this 12th day of April 1999, by first-class, postage prepaid, U.S. Mail, copies of the foregoing REPLY COMMENTS ON COUNTERPROPOSAL AND ALTERNATE PROPOSAL to the following:

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